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INFO RUCNCLS/ALL SOUTH AND CENTRAL ASIA COLLECTIVE
RUEHBJ/AMEMBASSY BEIJING 7495
RUEHLO/AMEMBASSY LONDON 6114
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SUBJECT: BHARAT BALLOT 09: CONGRESS PARTY HAS NO REGRETS IN
NOMINATING CANDIDATES ACCUSED OF LEADING 1984's ANTI-SIKH RIOTS

REF: New Delhi 559

¶1. (U) Summary: On March 22, the Congress Party, head of the United Progressive Alliance government at the center, announced its decision to re-nominate Jagdish Tytler and Sajjan Kumar to contest the forthcoming Lok Sabha elections from Delhi. Both Tytler and Kumar have been accused of instigating and provoking the 1984 anti-Sikh riots that left nearly 3,000 Sikhs in Delhi dead following the assassination of former Prime Minister Indira Gandhi. A GOI Central Bureau of Investigation inquiry is ongoing against Tytler. The Nanavati Commission investigating the riots has consistently charged both leaders with playing active roles in the riots. In 2005, Prime Minister Manmohan Singh promised strict action against the accused. End summary.

EVIDENCE AGAINST CANDIDATES -----

¶2. (U) The Nanavati Commission (probing the 1984 anti-Sikh riots following the assassination of former Prime Minister Indira Gandhi by two of her Sikh body guards) blamed Congress Party leaders Tytler and Kumar for playing active roles in anti-Sikh riots in Delhi that left nearly 3,000 Sikhs dead in the city. The Nanavati Commission has stated that there is "credible evidence" against Tytler and Kumar, and commission members have demanded the government take necessary action against them.

¶3. (U) In December 2007, the Delhi High Court directed the Central Bureau of Investigation (CBI) to reexamine the cases against Tytler. In a February hearing, the CBI requested an additional month to submit its report. The next hearing is slated for March 28. The Ministry of Home Affairs has been examining ten riot cases on the behest of the CBI, after Prime Minister Manmohan Singh promised that the government would reopen cases against those cited in the Nanavati Commission report. Earlier cases had been closed by courts due to lack evidence or dismissed by governments due to lack of political will to pursue the matter.

POLITICAL REACTION -----

¶4. (U) The ruling Shiromani Akali Dal (SAD) party in Punjab, India's only Sikh-majority state, quickly expressed dismay over the nomination of Tytler and Kumar as Congress candidates, declaring "This move has hurt the sentiments of the Sikh community." Dr. Daljeet Cheema, Spokesperson for the SAD, cautioned that "their nomination not only went against the spirit of the PM Singh's

assurances to bring those guilty to book, but has also sent wrong signals to the nation."

¶5. (U) The opposition Bharatiya Janata Party's (BJP) parliamentary candidate, Varun Gandhi, made inflammatory remarks about Indian Muslims while campaigning earlier this month (reftel), causing widespread criticism over the past several days from all quarters including the Congress party. Priyanka Gandhi, daughter of Congress President Sonia Gandhi and first cousin to Varun Gandhi, publicly criticized him for his remarks as "going against the principles of the Gandhi family." The BJP has responded to Congress criticisms by pointing to the nominations of Tytler and Kumar by the Congress Party.

COMMENT: DOUBLE STANDARDS?

¶6. (SBU) The Congress Party's decision to re-nominate Tytler and Kumar, named in the Nanavati Commission report as key instigators of the 1984 anti-Sikh riots, exposes the party to allegations that it is being unfaithful to its commitment to secular values. In India, political parties of all stripes at times overlook past human rights violations and crimes committed by candidates in the larger interest of advancing their political agendas. This is especially true in the run-up to hotly contested April-May general elections.

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